

**TUCKER ELLIS & WEST LLP**

ATTORNEYS AT LAW

1150 Huntington Bldg. 925 Euclid Avenue Cleveland, Ohio 44115-1475  
phone 216.592.5000 fax 216.592.5009 tuckerellis.com

CLEVELAND LOS ANGELES SAN FRANCISCO

**RECEIVED  
CENTRAL FAX CENTER**

OCT 03 2005

## FAX COVER SHEET

<b>TO:</b>	<b>COMPANY:</b>	<b>FAX NO:</b>
Mail Stop Amendment	USPTO	571-273-8300

<b>FROM:</b>	<u>Larry B. Donovan</u>	<b>DATE:</b>	<u>10/3/05</u>	<b>TIME:</b>	<u></u>
--------------	-------------------------	--------------	----------------	--------------	---------

<b>Direct Dial:</b>	<u>216.696.3864</u>	<b>E-Mail:</b>	<u>Larry.Donovan@tuckerellis.com</u>
---------------------	---------------------	----------------	--------------------------------------

<b>TOTAL NO. OF PAGES:</b>	<u>3</u>	<b>CLIENT/MATTER:</b>	<u>72255/02661</u>
----------------------------	----------	-----------------------	--------------------

(including cover page)

## COMMENTS

## CONFIDENTIALITY NOTICE

The information in this fax transmission and the documents accompanying it contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individuals or entities named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this faxed information is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone to arrange for return of the original documents to us.

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

OCT 03 2005

Appl No. : 09/669,350 Confirmation No.: 4571  
Applicant : Kenneth W. Batchter  
Filed : September 26, 2000  
TC/A.U. : 2153  
Examiner : Yasin M. Barqadle  
Docket No. : 72255/02661  
Customer No. : 23380

**FAXED TO: (571) 273-8300**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT OF THE SUBSTANCE OF INTERVIEW  
OF 01 APRIL 2005 (MPEP 713.04)**

Sir:

Applicant is filing this Statement of the Substance of Interview in response to the interview of 15 September 2005. The interview was conducted by telephone; the participants were Yasin M. Barqadle (Examiner) and applicant's representative Larry B. Donovan (Attorney).

No exhibits or demonstrations were conducted.

Claims 1 and 15 were discussed.

No specific prior art was discussed.

The proposed amendments are already described in the Interview Summary form completed by the examiner.

The general thrust of the principle arguments of the applicant and examiner were directed to the language of claims 1 and 15. The Examiner's proposed amendments to claims 1 and 15 recite that the header portion of the packet is processed by the MAC layer processor while the packet is in a first memory device and determining whether the data packet is one of the group

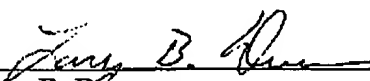
consisting of a video stream and an audio stream by the MAC layer processor, instead of determining whether the data packet belongs to a data stream.

No other pertinent matters were discussed.

Applicant agreed to an Examiner's Amendment of claims 1 and 15 to place the application in condition for allowance.

If there are any fees necessitated by the foregoing communication, please charge such fees to our Deposit Account No. 50-0902, referencing our Docket No. 72255/26766.

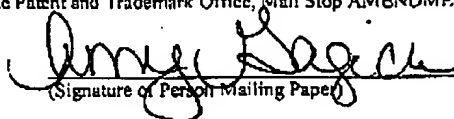
Respectfully submitted,  
TUCKER ELLIS & WEST

By   
Larry B. Donovan  
Registration No. 47,230  
Customer No. 23380  
1150 Huntington Building  
925 Euclid Avenue  
Cleveland, Ohio 44115-1475  
(216) 696-3864 (phone)  
(216) 592-5009 (fax)

#### FACSIMILE CERTIFICATION UNDER 37 C.F.R. §1.8

I hereby certify that, on the date shown below, the accompanying correspondence (along with any other paper referred to as being attached or enclosed) is being transmitted via Facsimile No.: (571) 273-8300, to The Patent and Trademark Office, Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Amy Gagich  
(Typed or Printed Name of Person Mailing Paper)

  
(Signature of Person Mailing Paper)

DATE: October 3, 2005